Paper 135
Filed: August 24, 2007

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES
(Administrative Patent Judge Richard E. Schafer)

FAXED
AUG 2 4 2007
PAT. & T.M. OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES

Human Genome Sciences, Inc.
Junior Party
(Patent 6,872,568;
Inventors: Jian Ni, Reiner L. Gentz, Guo-Liang Yu, Craig A. Rosen),

v.

Immunex Corp.
Senior Party
(Application 09/378,045;
Inventors: Charles Rauch, Henning Walczak).

Patent Interference No. 105,240 (RES)

Redeclaration - Bd.R. 203(c)

A decision on motions was entered July 26, 2007, (Paper 133) that motion, *inter alia*, granted Immunex's motion for benefit for five additional applications. This redeclaration reflects the granting of that motion.

This interference is redeclared as follows with changes indicated in bold:

Junior Party

Named inventors:	Jian Ni, Rockville, MD Reiner L. Gentz, Rockville, MD Guo-Liang Yu, Berkeley, CA Craig A. Rosen, Laytonsville, MD
Patent:	6,872,568, granted March 29, 2005, based on Application 09/565,009, filed May 4, 2000
Title:	Death domain containing receptor 5 antibodies
Assignee:	Human Genome Sciences, Inc.
Accorded Benefit:	None

Senior Party

Named Inventors:	Charles Rauch, Bainbridge Island, WA Henning Walczak, Heidelberg, Germany
Application:	09/378,045, filed August 20, 1999
Title:	Receptor that binds trail
Assignee:	Immunex Corp.
Accorded Benefit:	**08/883036 06/26/1997** **08/869852 06/04/1997** **08/829536 03/28/1997** **08/815255 03/12/1997** **08/799861 02/13/1997**

Count and claims of the parties

Count 1

Claim 21 of Ni U.S. Patent 6,872,568 or Claim 84 of Rauch Application 09/378,045.

The claims of the parties are:

Ni: 1-52

Rauch: 82-94, 100-103, and 105-117

The claims of the parties which correspond to Count 1 are:

Ni: 1-6, 8-19, 21-32, 34-45 and 47-52
Rauch: 82-94, 100-103, and 105-117

The claims of the parties which do not correspond to Count 1, and are therefore not involved in this interference, are:

Ni: 7, 20, 33, and 46
Rauch: None

/Richard E. Schafer/
RICHARD E. SCHAFER
Administrative Patent Judge

cc (FAX):

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